

MOA Format and Instructions, Negotiation and Reporting Schedule

A. Format

The following MOA format is provided to ensure a consistent presentation across regions and to ensure that each regional MOA is closely linked to the Agency Strategic Plan and Annual Performance Plan. Regions should use their MOA to articulate how they will implement national priorities, to identify regional and state priorities, to plan worksharing with the states, and as a basis for negotiating PPAs/PPGs with states. All regions should use the standard format and submit their MOAs electronically to Jack Neylan by September 1, 1999.

I. Introduction

Regions should provide a short overview which identifies regional themes, broadly lays out program directions, and describes their overall approach and philosophy to using a mix of traditional and innovative tools to address environmental and noncompliance problems.

II. Management Focus

Each region should discuss three to five region-specific management issues which they wish to bring to the attention of OECA senior managers. These issues might be either internal to the region or involve external parties. Examples include areas such as weakness in implementation of specific programs, training or skills deficits in the region, difficulties in addressing regional evaluation recommendations, or weaknesses in state programs. Regions should describe the nature and extent of the issues, steps taken to address the issues, and recommendations or requests for joint strategies or assistance. These issues might be included for the purpose of seeking OECA senior management assistance in resolving the issue or simply to inform OECA senior management of potential problems.

For FY 2000/2001, OECA has identified three national management challenges which all regions should address in their MOA submissions. The first is the implementation of the OECA Tribal strategy (which is expected to become effective by FY 2000), the second is the implementation of enhanced performance measures, and the third is improved coordination between EPA and states in planning and work sharing. Each region should provide a description of how it plans to address the management challenges identified in the Headquarters description under Section II of the Guidance, Management Focus.

III. Priorities

A. Discussion of the Region's Contribution to National Priorities.

Regions should provide a brief discussion of how their activities will contribute to the achievement of national goals and objectives. Regions should report their activities for each national priority, identifying at least the following:

1. Identification of tools and activities the region will undertake to implement the priority;
2. Regional and state-specific contribution to priority in terms of performance expectations (where there is a state contribution, provide information state-by-state, where appropriate)
3. Any measures which the region will use to evaluate its progress/success, other than the national measures which will be identified in the May 1999 MOA Guidance;
4. Trade-offs which may be necessary to achieve goals;
5. If the region proposes not to participate in the priority, the rationale;
6. Headquarters support requests.

B. Identification of Regional and State Priorities

Regional Priorities: Regions should identify and address their own priorities which will contribute to achieving the objectives of Goals 7 and 9. Specifically, the region should address the following:

1. Identify specific regional priorities, organized by objective, providing a rationale for the selection, activities to be undertaken, expected accomplishments, measures to be used to evaluate performance, and trade-offs as necessary, as well as Headquarters support needed.
2. Identify any state contribution to regional priorities.

State Priorities: Regions are asked to identify state priorities that contribute directly to national priorities as well as the most significant other state priorities, along with a brief background for their selection. This section should also address how regional activities are contributing to the achievement of state priorities. The goal of this section is to ensure that a full picture of priorities and work sharing for the national enforcement and compliance program is available. Use the following chart to provide a brief summary of key state enforcement and compliance priorities, we are not looking for a detailed description or discussion of their workplan.

State-by-State Priorities and Expected Accomplishments	
For each state priority, provide one or two sentences for each of the following:	
State:	
State Priority	
Regional Contribution (if appropriate)	
Expected Accomplishments	

C. Exceptions and Changes to the Core Program

In this section for FY 2000/2001, the region should identify by media or program area, any exceptions, changes or tradeoffs to the core program, within or across program media, which it expects to make, and provide an explanation for those changes. In completing this section of their MOA, the region should explicitly consider whether its level of compliance monitoring and enforcement presence are likely to change significantly in any media; whether it will meet national guidance on timely and appropriate responses in all media; whether there are problems with a particular data system and information management system; and whether there are changes to the nature of its compliance monitoring program, e.g. to reflect a shift to conduct more resource-intensive investigations rather than routine inspections.

Regions should also note that adjustments have been made to the enforcement and compliance core program. Adjustments fall into 5 categories- 1) the addition of a section on EPA/state work planning and oversight, 2) updates and corrections in media areas, such as the use of investigations in the Air program, 3) added emphasis on Federal facilities and new core program write-ups to cover Environmental Justice, Tribal, and Multimedia programs, 4) negotiation and completion of national sector strategy activities as part of the core, and 5) parameters for submission of a sector maintenance plan. The core sector description for the sector strategies requests each region to provide commitments for activities it will undertake in FY 2000/2001 for each of the 7 national initiative sectors. In addition, since dry cleaning is no longer a national priority, the regions are requested to submit a dry cleaning maintenance plan as part of their MOA submission, unless they can justify why such a plan is not needed.

OECA will assume that regions are maintaining the existing core program except where the regional MOA identifies changes or tradeoffs that are necessitated by implementation of national or regional priorities. Aside from commitments to complete national sector strategy activities, and submission of a dry cleaning maintenance plan, regions need only report exceptions to the core program. See Attachment 4 for a more detailed discussion of the FY 2000/2001 Core Program.

D. Inspection Projections

Regions are required to provide in their MOA, performance **projections** for the annual media-specific inspections and drinking water SNC. Attachment 5 contains the definitions and format for completing this information.

E. Resource Information

Regions should review the resource charts which Headquarters will provide individually to each region. These FTE charts will show the FY 1999 Operating Plan, and the FY 1999 regional information based on last year's MOA submission by goal, objective and subobjective. Regions will need to review and revise the charts to reflect their current staffing distribution, and fill in the FY

2000 column. Each region will receive a disk that will provide their specific information on goal 9 as part of this guidance. Goal 5 charts will be sent out under separate cover within the next month.

B. Schedule for Developing and Negotiating FY 2000/2001 MOAs

- Publish final MOA Guidance in April.
- Submit draft regional MOAs to Headquarters no later than September 1, 1999.
- Headquarters will review and negotiate MOAs within two months of receipt (November, 1999).
- Headquarters will consult with the regions in December, 1999 about whether changes or revisions should be made in priorities or guidance for FY 2001, the second year of the MOA.

C. Reporting Schedule

- Mid-year reports are due by May 1, 2000 and 2001. (Note that this date may need to be moved up to accommodate Agency-wide mid-year reporting to meet GPRA requirements.) This report and subsequent conversations may also serve as the basis for making adjustments agreed upon by both Headquarters and the regions to address emerging needs, new data, amendment of statutory authorities, etc.
- In September of the year 2001, regions will be requested to submit a brief MOA Update which includes:
 - FY 2001 inspection projection information;
 - changes or adjustments in regional activities;
 - if necessary, resource information about FTEs.
- End-of-Year Report due November 15, 2000 and 2001. (Note that this date may need to be moved up to accommodate Agency-wide end of the year reporting to meet GPRA requirements.)